

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROCHE DIAGNOSTICS GMBH, et al.,

Plaintiffs,

-v-

ENZO BIOCHEM, INC., et al.,

Defendants.

No. 04 Civ. 04046 (RJS)

**NOTICE OF ROCHE'S MOTION FOR SUMMARY JUDGMENT  
ON NON-PATENT CLAIMS AND RELATED DEFENSES**

PLEASE TAKE NOTICE that upon the Memorandum in Support of Roche's Motion for Summary Judgment on Non-Patent Claims and Related Defenses (FILED UNDER SEAL), dated December 21, 2012, the accompanying Declaration of Robert J. Gunther, Jr. and the exhibits attached thereto (FILED UNDER SEAL), Roche's Statement Pursuant to Local Rule 56.1 (FILED UNDER SEAL), and upon all the papers and pleadings filed in these actions, declaratory judgment plaintiffs Roche Diagnostics GmbH and Roche Molecular Systems, Inc., by the undersigned attorneys, will move this Court before the Honorable Richard J. Sullivan, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, NY 10007-1312, on a date to be determined, for an Order pursuant to Federal Rule of Civil Procedure 56 granting Roche's Motion for Summary Judgment on Non-Patent Claims and Related Defenses.

Dated: December 21, 2012



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